

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

U.S. SMALL BUSINESS ADMINISTRATION,	:	CIVIL ACTION
as Receiver for Acorn Technology Fund, L.P.,	:	
	:	
Plaintiff,	:	NO. 05-190
	:	
v.	:	
	:	
SMITH, STRATTON, WISE, HEHER,	:	
& BRENNAN, LLP, et al.,	:	
	:	
Defendants.	:	
	:	
SMITH, STRATTION, WISE, HEHER,	:	
& BRENNAN, LLP, RICHARD J. PINTO, ESQ.,	:	
and MARSHA E. NOVICK, ESQ.,	:	
	:	
Third-Party Plaintiffs,	:	
	:	
v.	:	
	:	
MICHAEL WYATT, ESQ., and HOGAN &	:	
HARTSON, LLP,	:	
	:	
Third-Party Defendants.	:	

**ORDER**

AND NOW, this 15th day of December, 2005, upon consideration of Defendants Daniel Beharry's, Esq., Richard D. Propper's, M.D., and Acorn Connecticut Investments', L.P. Motion to Dismiss Plaintiff's Complaint Pursuant to Fed. R. Civ. P. 12(b)(6), and all responses thereto, it is hereby ORDERED that the motion is DENIED.

BY THE COURT:

S/ James T. Giles

C.J.